

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON**

CIVIL MINUTES

Case No.: 3:11-cv-363-MO

Date of Proceeding: September 10, 2012

Case Title: Chadwick James Yancey v. NORCOR, et al.

Presiding Judge: Hon. Michael W Mosman

Courtroom Deputy: Dawn Stephens

Dawn_Stephens@ord.uscourts.gov

Telephone number (503) 326-8024

Reporter: Bonita Shumway

Tape No: _____

DOCKET ENTRY:

Oral argument held before Judge Michael W. Mosman. ORDER: Defendants' Motion for Partial Summary Judgment [42] is GRANTED IN PART and DENIED IN PART, as follows, for the reasons stated on the record.

- Second Claim for Relief, Failure to Supervise:
 - GRANTED as to defendants NORCOR, Wasco County, Hood River County, Gilliam County, Sherman County, NORCOR's Sheriff's Board, and Administrator Weed;
 - DENIED as to defendants Sheriff Bettencourt, Sheriff Eiesland, Sheriff Wampler, Sheriff Lohrey, Administrator Pryor, Captain Lindhorst, and Lieutenant Graves.
- Second Claim for Relief, Failure to Train:
 - GRANTED as to as to defendants Sheriff Bettencourt, Sheriff Eiesland, Sheriff Wampler, Sheriff Lohrey, Administrator Pryor, Administrator Weed, Captain Lindhorst, and Lieutenant Graves;
 - DENIED as to defendants NORCOR, Wasco County, Hood River County, Gilliam County, Sherman County, and NORCOR's Sheriff's Board.
- Fourth Claim for Relief, Negligence (Supervision):
 - GRANTED as to all defendants (NORCOR, Wasco County, Hood River County, Gilliam County, Sherman County, NORCOR's Sheriff's Board, Sheriff Bettencourt, Sheriff Eiesland, Sheriff Wampler, Sheriff Lohrey, Administrator Pryor, Administrator Weed, Captain Lindhorst, and Lieutenant Graves).
- Sixth Claim for Relief, Denial of Adequate Medical Care:
 - GRANTED as to defendants Deputy Matthews and Deputy Pulido;
 - DENIED as to defendants Sergeant Drake and Nurse Nelson.
- Eighth Claim for Relief, Negligence (Medical Treatment):

Civil Minutes

**Honorable Michael W
Mosman**

Revised 3/15/96

- DENIED as to all defendants (NORCOR, Wasco County, Hood River County, Gilliam County, Sherman County, NORCOR's Sheriff's Board, Sheriff Bettencourt, Sheriff Eiesland, Sheriff Wampler, Sheriff Lohrey, Administrator Pryor, Administrator Weed, Captain Lindhorst, and Lieutenant Graves).

Order GRANTING Oral Motion to continue the Pretrial and Trial dates. Pretrial conference is RESET FOR 1/14/2013 from 2:00 to 4:00PM. Four-day jury trial is RESET FOR 1/22/2013 at 9:00 AM in Judge Mosman's Courtroom before Judge Michael W. Mosman. Defendants are DIRECTED to submit a proposed trial management order within twenty-one days of this order.

PLAINTIFF'S COUNSEL

DEFENDANT'S COUNSEL

Chadwick James Yancey

Robert S. Wagner

David C. Lewis

cc: { } All counsel

DOCUMENT NO: _____